

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of: Vann *et al.* Confirmation No.: 2185  
Serial No.: 10/602,900 Art Unit: 1634  
Filed: June 23, 2003 Examiner: Lu, Frank Wei Min  
For: *Fiber Array and Methods For  
Using And Making Same* Attorney Docket No.: 061193-0049-US

APR 29 2005

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owner, Applera Corporation, assignee of 100% of the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded on February 5, 2003 at Reel 013742, Frame 0868 hereby disclaims the terminal part of any patent granted on the above identified application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,573,089 B1 which issued on June 3, 2003. The owner hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the above identified application and is binding upon the grantee, its successors, and assigns.

In making the above disclaimer, the owner does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of prior U.S. Patent No. 6,573,089 B1, as presently shortened by any terminal disclaimer, in the event that said patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney or agent of record. The Terminal Disclaimer fee under 37 C.F.R. 1.20(d) is submitted concurrently herewith.

Date: April 29, 2005By: David R. Owens

David R. Owens  
Reg. No 40,756  
Attorney of Record for Assignee,  
Applera Corporation

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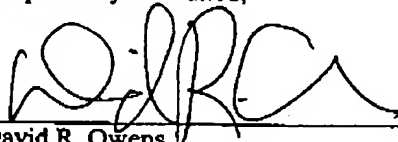
TERMINAL DISCLAIMER FEE SHEET

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$130.00. Please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 061193-0049 US). A copy of this sheet is attached for accounting purposes.

Respectfully submitted,



40,756

Date: April 29, 2005

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(Reg. No.)